

EXHIBIT 4

Teleconference

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<p>1 APPEARANCES (Continued):</p> <p>2</p> <p>3 MCKENNA, LONG & ALDRIDGE, LLP</p> <p>4 CASS W. CHRISTENSON, ESQ.</p> <p>5 REL S. AMBROZY, ESQ.</p> <p>6 DEREK AUITO, ESQ.</p> <p>7 LORA BRZEZYNSKI, ESQ.</p> <p>8 1900 K Street, N.W.</p> <p>9 Washington, D.C. 20006</p> <p>10 for Plaintiffs</p> <p>11 RICHARDS LAYTON & FINGER</p> <p>12 FREDERICK L. COTTRELL, III, ESQ.</p> <p>13 ANNE SHEA GAZA, ESQ.</p> <p>14 One Rodney Square</p> <p>15 Wilmington, Delaware 19801</p> <p>16 for Defendant Tatum Co.</p> <p>17</p> <p>18 GREENBERG TRAURIG LLP</p> <p>19 FRANK MERIDETH, ESQ.</p> <p>20 VALERIE HO, ESQ.</p> <p>21 MARK KREISMAN, ESQ.</p> <p>22 2450 Colorado Avenue, Suite 400E</p> <p>23 Santa Monica, California 90404</p> <p>24 for Defendant Tatum Company of America, Inc.</p> <p>CONNOLLY BOVE LODGE & HUTZ LLP</p> <p>M. EDWARD DANBERG, ESQ.</p> <p>1007 North Orange Street</p> <p>Wilmington, Delaware 19899</p> <p>for Defendant Viewsonic Corporation</p> <p>BINGHAM McCUTCHEN LLP</p> <p>MANUEL NELSON, ESQ.</p> <p>TRACY ROMAN, ESQ.</p> <p>355 South Grand Avenue</p> <p>Los Angeles, California 90071-3106</p> <p>for Defendant Viewsonic Corporation</p>	<p>1 submission and LPL's 8/3 submission and in ViewSonic's</p> <p>2 8/3 submission, and I have that marked as DM 37.</p> <p>3 MR. NELSON: Your Honor, I will be</p> <p>4 addressing the issues on behalf of ViewSonic. Shall I</p> <p>5 proceed?</p> <p>6 SPECIAL MASTER POPPITI: Yes, please.</p> <p>7 MR. NELSON: Just to recap, Your Honor, how</p> <p>8 we got here, on June 28th, we had a long hearing where</p> <p>9 you ordered LPL to produce documents in response to</p> <p>10 various requests for production of documents from</p> <p>11 ViewSonic.</p> <p>12 On July 13th, we had a hearing because the</p> <p>13 issue of burden of all that production came up and LPL</p> <p>14 proposed, as a preliminary matter, to provide a limited</p> <p>15 production and to see where we'd be based upon the</p> <p>16 review of that limited production and Your Honor thought</p> <p>17 that was an acceptable preliminary approach.</p> <p>18 We have now received approximately 3,000</p> <p>19 pages of production from LPL. But where we filed</p> <p>20 ourselves, Your Honor, is that, as you can see from the</p> <p>21 correspondence that's attached as exhibits to our</p> <p>22 submissions of August 3rd, we have identified somewhere</p> <p>23 in the order of 250 pages of drawings that are either</p> <p>24 illegible or very difficult to read, on the one hand,</p>
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<p>1 SPECIAL MASTER POPPITI: Mr. Kirk, please.</p> <p>2 MR. KIRK: Yes, Your Honor. This is Richard</p> <p>3 Kirk for The Bayard Firm for the plaintiff LG Phillips,</p> <p>4 LCD Company, Ltd.</p> <p>5 With me on the line from Washington, from</p> <p>6 the firm of McKenna, Long & Aldridge, are my colleagues,</p> <p>7 Cass Christenson, Lora Brzezynski, Rel Ambrozy, and</p> <p>8 Derek Auito.</p> <p>9 MS. GAZA: Good afternoon, Your Honor, Anne</p> <p>10 Gaza from Richards, Layton & Finger on behalf of the</p> <p>11 Tatum defendants.</p> <p>12 With me on the line is Fred Cottrell as well</p> <p>13 as Frank Merideth, Valerie Ho, and Mark Kreisman from</p> <p>14 the law firm of Greenberg Traurig.</p> <p>15 MR. DANBERG: Good afternoon, Your Honor.</p> <p>16 Ed Danberg at Connolly, Bove.</p> <p>17 With me is Manuel Nelson and Tracy Roman.</p> <p>18 SPECIAL MASTER POPPITI: Thank you very</p> <p>19 much.</p> <p>20 Let us use the agenda that was sent over</p> <p>21 yesterday for purposes of addressing the issues</p> <p>22 contained in that agenda. The first on the agenda is</p> <p>23 the status of LPL's supplemental document production to</p> <p>24 ViewSonic, and that was covered in ViewSonic's 7/27</p>	<p>1 and No. 2, while that's not necessarily explicitly</p> <p>2 stated in our submission, those drawings that are</p> <p>3 legible aren't -- do not provide sufficient details</p> <p>4 regarding the physical characteristics of the modules</p> <p>5 for us to be able to determine with certainty where</p> <p>6 fastening elements are on the rear side or from the</p> <p>7 rearview of a module.</p> <p>8 And what I mean by that is perhaps I see a</p> <p>9 little circle with a cross in it that looks like a</p> <p>10 Phillips head screw, but because that drawing may not</p> <p>11 have a parts lists, there is no identification of that</p> <p>12 being, in fact, a screw. Because that particular image</p> <p>13 is really a two-dimensional drawing from above the back,</p> <p>14 you don't know what layer that screw, if it is a screw,</p> <p>15 is placed; is it actually on the rear surface of the</p> <p>16 module? Does it connect the back light unit to the</p> <p>17 module? Or is it in an embedded layer?</p> <p>18 So we are in a position where we actually</p> <p>19 aren't able to discern the physical characteristics that</p> <p>20 we need for this case.</p> <p>21 So where that leads us today, Your Honor, is</p> <p>22 we didn't submit all of the illegible documents for the</p> <p>23 August 3rd submission because we didn't think we'd waste</p> <p>24 your time looking at what's not legible.</p>

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<p>1 required to do it under our contract, adds anything to 2 the letter because the order reviewed all of that. So, 3 I am not -- on the record that I have before me, I am 4 satisfied that an appropriate request was made, request, 5 demand, I don't really see that there be any difference 6 in the context of the way this is teed up. 7 I'd like to see the second request for 8 purposes of seeing what the follow-up was. If the 9 follow-up is consistent in its language with its first 10 request, then I think it just buttresses my view that 11 the -- it is what it is. It's one step removed. I 12 expect that ViewSonic could force an issue independent 13 of this court action somewhere else, but I don't -- I 14 didn't contemplate that and I really don't anticipate 15 that Judge Farnan would have contemplated that by virtue 16 of accepting my findings and recommendations. 17 So, on this record, I am not convinced that 18 ViewSonic didn't make an appropriate effort to get the 19 information from the OEM. 20 I do, however, want to see the follow-up. 21 MS. ROMAN: Your Honor, I will get the 22 follow-up, as I told Mr. Christenson, as soon as I can 23 get it; I will produce it to him as well, and I will 24 continue making those efforts today to get it as soon as</p>	<p>1 at all. 2 A brief review of the history, I think, is 3 necessary here. Tatung initially noticed Miss Rudich's 4 deposition on March 1st of this year relating solely to 5 its unfounded allegations that McKenna, Long & Aldridge 6 violated the protective order in this case. As Your 7 Honor is aware, MLA, my firm, spent considerable time 8 and expense responding to those unfounded allegations 9 and providing privileged documents for in camera review. 10 That resulted in a ruling by Your Honor that MLA had not 11 violated the protective order. 12 During that process, MLA clearly opposed the 13 taking of Miss Rudich's deposition and Tatung withdraw 14 its subpoena of Miss Rudich. That was clearly stated by 15 Mr. Merideth on the record and then confirmed by him in 16 his March 16th letter, which is Exhibit D to Tatung's 17 submission attached to his 8/1 letter. 18 In that March 16th letter, however, Tatung 19 did state, in the second paragraph, that it still needed 20 testimony from Rebecca Rudich on, quote, one very 21 limited issue, end quote. The letter went on to say 22 that, quote, The testimony will be limited to her 23 responses to a specific PTO Office action regarding the 24 '079 patent related to an IBM product, end quote.</p>
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<p>1 possible. The truth is, Your Honor, I don't even know 2 if the follow-up letter has even gone out -- 3 SPECIAL MASTER POPPITI: Okay. 4 MS. ROMAN: -- given the general counsel's 5 traveling, and I don't know if he has been able to 6 authorize it being sent. 7 SPECIAL MASTER POPPITI: I understand. I'd 8 like to see whatever is done. 9 MS. ROMAN: Yes, Your Honor. 10 SPECIAL MASTER POPPITI: Just a moment. 11 Next, please. 12 MS. BRZEZYNSKI: I believe the next issue is 13 LPL's request for a protective order relating to 14 Tatung's request for a deposition of Rebecca Rudich, an 15 attorney with the law firm of McKenna, Long & Aldridge. 16 May I proceed? 17 SPECIAL MASTER POPPITI: Sure. 18 MS. BRZEZYNSKI: Your Honor, LPL moves for a 19 protective order because Rebecca Rudich's proposed 20 deposition has grown from a very well limited one issue 21 deposition where Tatung initially said it was willing to 22 accept a declaration to what has essentially become a 23 fishing expedition for inequitable conduct in areas 24 where Ms. Rudich does not have any relevant information</p>	<p>1 The letter also stated that Tatung was 2 willing to accept the declaration in lieu of a 3 deposition. Tatung offered to provide a draft 4 declaration of what it wanted and we received that draft 5 declaration on March 29th. That draft declaration sent 6 by Mr. Merideth is both Exhibit F to Tatung's submission 7 and Exhibit 1 to LPL's August 1st submission. 8 SPECIAL MASTER POPPITI: I have reviewed 9 that. 10 MS. BRZEZYNSKI: Then, as you can see, Your 11 Honor, that draft declaration was solely limited to 12 Ms. Rudich's response to its 2006 Office action in the 13 '079 application and an identification of what 14 Ms. Rudich meant as "rear tray" in an IBM 9516 product, 15 and that's it. 16 That declaration did not include any 17 reference to what Ms. Rudich meant by spot mounting. In 18 fact, there was nothing further in that draft 19 declaration about any other aspect of the '079 patent 20 prosecution. 21 There also was never any suggestion, in that 22 declaration or otherwise, that Miss Rudich would be 23 asked about the prosecution of the patents-in-suit. 24 There was also no suggestion or reference in that draft</p>

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<p>1 declaration that Tatung wanted to ask her, Ms. Rudich, 2 about any potential prior art other than the IBM 9516 3 product. 4 All along, for months, a declaration was 5 only ever limited to the identification of the term 6 "rear tray" relating to the Office action response and 7 '079 continuation application. 8 Even when you look at the two declarations 9 submitted by LPL, which are Exhibits 4 and 6 to LPL's 10 August 1st submission, you reach the same conclusion. 11 I will add here that LPL does take serious 12 issue with the statement made by Tatung in its August 13 1st letter that it was, quote, strung along by LPL who, 14 apparently, had never intention of ever agreeing to a 15 meaningful declaration or deposition, end quote. 16 That statement cannot be anymore false and 17 it's frankly unacceptable that that sentence was 18 included in Tatung's submission given the history of LPL 19 working very quickly to submit revised declarations to 20 Tatung for its review. 21 First, LPL sent a draft declaration on April 22 23rd, after first sending comments to Tatung, which 23 Tatung then responded one day later and said that it was 24 concerned -- excuse me, three days later, on April 26th,</p>	<p>1 2005, identified Sung Jung and three other attorneys or 2 patent agents formerly with McKenna, or its predecessor 3 firm, in addition to Rebecca Rudich as prosecuting 4 attorneys. 5 SPECIAL MASTER POPPITI: Did she not 6 supervise? 7 MS. BRZEZYNSKI: No, not this. This is what 8 she did, and I will tell you exactly what she did. She 9 was not the supervisor for the patents-in-suit, Your 10 Honor. It was Sung Jung and Tatung must have known 11 this. 12 If they wanted, at any time, to depose the 13 prosecuting attorney for these patents-in-suit, it 14 should have noticed the deposition of one of the 15 prosecuting attorneys and it never did so. 16 We have never represented that Rebecca 17 Rudich prosecuted the patents-in-suit. What she did, 18 and we went back to verify that we were actually 19 correct, she only signed three documents in each of the 20 patents-in-suit, and I will tell you exactly what they 21 were. One was a change of address form that was 22 submitted in each patent case after our merger, so that 23 was submitted and signed by her as she did for many, 24 many cases.</p>
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<p>1 that it was concerned that LPL's initial draft contained 2 subjective observations and commentary by Ms. Rudich. 3 We then removed all subjective observations and 4 commentary at Tatung's request and sent a revised draft 5 just one day later, on April 27th. 6 Again, that declaration, like all prior 7 declarations, focused solely on the Office action 8 response and an identification of what Ms. Rudich meant 9 by "rear tray," and that's it. 10 Now, months later, after the close of 11 discovery, Tatung has increased the scope of the 12 requested deposition even though they withdrew their 13 deposition subpoena. Their 8/1 submission requesting a 14 much broader deposition is not only untimely but, 15 frankly, it is easily dispensed with. 16 As you look at the 8/1 submission, and, Your 17 Honor, for the first time, Tatung seeks testimony from 18 Miss Rudich relating to the prosecution history for the 19 patents-in-suit. 20 Tatung has a fundamental misunderstanding. 21 Rebecca Rudich did not prosecute the patents-in-suit. 22 Tatung must have known this since at least 2005, the 23 patent prosecution history documents, those are public 24 records. Their initial disclosures filed on July 29th,</p>	<p>1 The second was a non-substantive notice of 2 appeal filed in each of the two patent cases, 3 patents-in-suit. There, she signed them for Sung Jung 4 because the deadline was nearing and Sung, who had 5 directed its preparation of that notice of appeal, was 6 unavailable. She did not prepare it. She did not 7 direct its preparation. 8 The third is she signed -- she signed only 9 one substantive document in each case, and that was a 10 primary amendment signed in March 2002. It was actually 11 attached by Tatung to its submission. 12 As you can see, she signed that over Sung 13 Jung's signature block because he was not available. 14 That document was either prepared by Mr. Jung or for him 15 at his direction. Rebecca Rudich was not involved in 16 the preparation of that document at all. 17 Then we have, Your Honor, Tatung's letter of 18 8/3. It's a second submission. I submit to you, Your 19 Honor, that Your Honor should disregard that submission 20 as untimely. The deadline is clearly 8/1, two days 21 earlier. Although Tatung states in that letter that it 22 obtained an LPL module on or about August 2nd, 2007, I 23 frankly find that terminology curious "on or about," 24 either they received that product one day earlier or</p>